

REMARKS

Applicants appreciate the time taken by the Examiner to review Applicants' present application. This application has been carefully reviewed in light of the Official Action mailed February 25, 2003. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 102

Claims 1-13, 14-26, and 27-39 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,236,971 issued to Stefik, et al ("Stefik"). The Examiner states:

a method of for sharing an object [digital work] comprising the steps of: storing a reference [digital ticket] to the object in a first repository [col. 51, claim 1, step d]; performing a first operation to store a duplicate of the reference to the object in a second repository [col. 51, step e]; wherein the first operation is in accordance with a first privilege granted as defined by a permission [claim 3 - permission granted as a result of paying a fee].

Applicants note that "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdengaal Bros. v. Union Oil Co. of California*, 814, F.2d. 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); see also MPEP 2131. The Applicants respectfully submit that the Examiner has failed to establish the claims of the present invention are anticipated. More specifically, the Examiner has not shown that each of the claim limitations is present in the references.

Independent Claims 1 and 14 recite storing a reference to an object in a first repository, performing a first operation to store a duplicate of the reference to the object in a second repository, wherein the first operation is in accordance with a first privilege granted as defined by a permission. Independent Claim 27 recites a first repository operable to store a reference to an object and a second repository operable to store a duplicate of the

reference to the object in response to a first operation, wherein the first operation is in accordance with a first privilege granted as defined by a permission. Each of these Claims share the storing of a reference to an object in a first repository and the storing of a duplicate of the reference to the object in a second repository. Furthermore, each shares the common recitation that the operation to store the duplicate is accordance with a privilege.

The term "reference to an object" as used in the art, would be understood to mean a reference that points to the location of an object in a database or file system and identifies the object type. Based on the reference to the object, a programmatic user associated with a site can find the object and invoke an instance of the object. The present invention is drawn to the duplication of the reference to an object from a first repository to a second repository. If a site has access to the second repository, the site will be able to locate the referenced object and invoke an instance of the object based on the duplicated reference to the object, even without access to the first repository. Access to objects can be controlled by requiring that duplication of a reference to an object occur according to a set of permissions. For example, a first site wishing to share an object A, which is referenced in a first repository associated with object A, can only duplicate the reference to a second repository associated with a second site if the first site has privileges to add references to the repository of the second site. If the reference is duplicated to the repository of the second site, the second site can invoke an instance of object A, even without access to the repository of site A. This allows for more efficient administration of multiple sites that require access to common objects.

Stefik, on the other hand, discloses a system for controlling the copying of digital works, such as movies, music, pictures and multimedia works. In the system of Stefik, a "digital ticket" can be used as one element for regulating copying of works. A digital work's usage rights can specify a ticket needed for a particular usage right. See col. 4, lines 7-25. A transaction involving digital tickets must locate an appropriate digital ticket agent who can validate the ticket before the transaction can proceed. See col. 22, lines 34-39. A ticket agent can "punch" a digital ticket associated with a digital work. Once a ticket has been punched, it cannot be used again for the same kind of transaction, unless it is refreshed. See col. 22, lines 60-66 through col. 23, lines 1-2. Punching includes marking the ticket with the timestamp of the date and time it was used. See col. 23, lines 2-4. The digital ticket can be refreshed when it is copied or extracted, so long as it has copy/extract rights attached.

See col. 23, lines 5-12. When a ticket agent is given a ticket, the agent can check whether the digital copy was made after the last time that the ticket was punched. See id. If a paid copy of a digital work, including the ticket, is made, the new owner would expect to get a fresh ticket. In contrast, loaning a work or simply transferring it to another repository should not revitalize the ticket. See col. 23, lines 14-27. Thus, the "digital ticket" is used to entitle the holder to exercise some usage right with respect to the digital work and, hence, acts a portion of a permission scheme. There is no teaching or suggestion that a particular work can be located in a database from the contents of the digital ticket or that the digital ticket functions as a "reference to an object" as that phrase is used in the art. Accordingly, Applicants respectfully submit that the Examiner has not pointed out where storing a duplicate of a reference to an object can be found in Stefik and, therefore, request allowance of Claims 1-39.

#### NEW CLAIMS

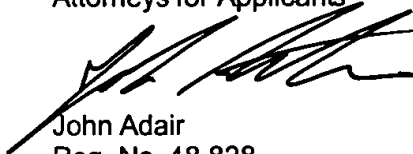
Claims 40-44 have been added to more particularly claim the invention without the introduction of new matter. Claim 40 is intended to stress distinguishing features of the invention with regard to the fact that copies of references to an object can be stored on different portions of the same shared repository with each portion being associated with a site based on the site's privileges. Thus, the shared repository can be used to control access to various objects by organizing copies of references to an object in repositories according to the privileges of various sites. Again, there is no teaching or suggestion in Stefik that "digital tickets" should function as references to objects.

Applicants have now made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request full allowance of Claims 1-44.

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-0456 of Gray Cary Ware & Freidenrich, LLP.

Respectfully submitted,

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